

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007

9:00 am

State Coastal Conservancy
11th Floor Conference Room
Oakland, CA

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chair
Jeremy Hallisey (Public Member)
Marisa Moret (Public Member)
Ann Notthoff (Public Member)
Bryan Cash (Designated Representative, Resources Agency)
Fred Klass (Designated Representative, Department of Finance)

OVERSIGHT LEGISLATORS PRESENT:

There were no Oversight Legislators in attendance

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General
Jack Judkins, Staff Counsel

Ann Notthoff chaired the meeting until Chairman Bosco's arrival at 10:00 am

1. ROLL CALL

2. APPROVAL OF MINUTES

Moved and seconded: the minutes of the May 24, 2007 public meeting were approved without change, 4-0.

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

With the concurrence of the Conservancy members, the Chair moved the San Francisco Bay item to follow the Consent items and moved item 3 to the end of the agenda.

5. PENASQUITOS CREEK

Karen Bane of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed three hundred twenty eight thousand dollars (\$328,000) to the Los Peñasquitos Lagoon Foundation (LPLF) for the construction of a sediment basin along Los Penasquitos Creek and to educate the community about preventing sedimentation of the Los Peñasquitos Lagoon in San Diego County. This authorization is subject to the condition that prior to the disbursement of any funds, the LPLF shall submit for the review and approval of the Conservancy’s Executive Officer:

1. A work program, including schedule, budget, and deliverables;
2. Written evidence that all permits and approvals necessary to the completion of the project under applicable local, state and federal laws and regulations have been obtained;
3. A recorded agreement between Los Penasquitos Lagoon Foundation, the landowner, and the Conservancy to protect the public interest in the constructed improvement pursuant to Public Resources Code Section 31116(c).
4. The names of any contractors it intends to use to conduct the project."

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria in Chapter 6 of the Public Resources Code (Sections 31251-31270) regarding the enhancement of coastal resources.
2. The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines adopted January 24, 2001.
3. The proposed project is consistent with the Los Peñasquitos Lagoon Enhancement Plan approved by the Conservancy on October 30, 1985.
4. The proposed project has been identified in the City of San Diego North City Local Coastal Program as needing public action to resolve existing resource protection problems.

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

5. The proposed project is consistent with the purposes of the Los Peñasquitos Special Deposit Fund established to provide for management of the lagoon.
6. Los Peñasquitos Lagoon Foundation is a private nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.
7. The Conservancy has reviewed the proposed Mitigated Negative Declaration, attached to the accompanying staff recommendation as Exhibit 5 and finds that the project, as mitigated, avoids or reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the Los Peñasquitos Creek Sediment Basin project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

Moved and seconded. Approved by a vote of 4-0.

6. SANTA MONICA BAY RESEARCH AND MONITORING GAP ANALYSIS

Rachel Couch of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$210,000 for ocean protection purposes to the Santa Monica Bay Restoration Foundation for completion of the **Santa Monica Bay Research and Monitoring Gap Analysis**, to catalog gaps in scientific research, mapping, and monitoring of the marine resources of the Santa Monica Bay and the Southern California Bight. Prior to the disbursement of these funds, the Executive Officer of the Conservancy shall review and approve in writing a work program, budget and schedule for the project.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 3 (Section 31111) and Chapter 5.5 (Section 31220) of Division 21 of the Public Resources Code, regarding the protection and restoration of coastal, ocean and marine resources, and authorizing funding of plans and feasibility studies for these purposes.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Santa Monica Bay Restoration Foundation (SMBRF) is a non-profit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

Moved and seconded. Approved by a vote of 4-0.

7. BROUSSARD PROPERTY

Joel Gerwein of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Peter Colby, Land Acquisition Coordinator, Save-the-Redwoods League.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred seventy-five thousand dollars (\$275,000) to the Save-the-Redwoods League to acquire the approximately 39-acre Broussard Property, Humboldt County Assessor’s Parcel Number 518-112-002, for public access and habitat protection, as shown on Exhibit 2 to the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for the acquisition, the Save-the-Redwoods League shall submit for review and approval by the Executive Officer all relevant acquisition documents including but not limited to, an appraisal, agreement of purchase and sale, escrow instructions, and documents of title.
2. The Save-the-Redwoods League shall dedicate the property for public access and habitat protection in a manner acceptable to the Executive Officer, in accordance with Public Resources Code Section 31116(b).
3. The Save-the-Redwoods League shall pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
4. Conservancy funding shall be acknowledged by erecting and maintaining a sign on the property that has been reviewed and approved by the Executive Officer.
5. The Save-the-Redwoods League shall purchase the property only from willing sellers.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Chapter 8 (Sections 31350-31356) of Division 21 of the Public Resources Code, regarding the reservation of significant coastal resource areas.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

3. The Save-the-Redwoods League is a nonprofit organization existing under Section 501(c)(3) of the Internal Revenue Services Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 4-0.

8. CONSENT ITEMS

A. WILSHIRE DRAIN

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of Santa Monica for installation of an urban runoff treatment system at the Wilshire Drain to implement the Santa Monica Bay Restoration Plan, approved by the Conservancy on August 2, 2001. This authorization is subject to the condition that prior to the disbursement of any funds, the City shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, and schedule and the names of any contractors to be employed in carrying out the work.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria of Chapters 5.5 and 6 of Division 21 of the Public Resources Code regarding protection of integrated coastal and marine resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

B. MILTON SREET PARCEL

Speaking in support of the Staff Recommendation: David McNeill, Baldwin Hills Conservancy.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the Mountains Recreation Conservation Authority (MRCA) for project planning and design of a proposed 1.2-acre park along the Ballona Creek Trail in the City of Los Angeles. This authorization is subject to the condition

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

that prior to the disbursement of any Conservancy funds, MRCA shall submit for review and written approval of the Executive Officer of the Conservancy a work plan, budget and schedule and the names and qualifications of any contractors to be employed to carry out these tasks.”

Findings:

Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Public Resources Code Sections 31400 *et seq.* regarding coastal public accessways;
2. The proposed project is consistent with the Project Selection Guidelines and Criteria adopted by the Conservancy on January 24, 2001.
3. The proposed project serves greater than local need.”

C. SAN FRANCISCO BAY JOINT VENTURE

Resolution:

“In order to support the work of the San Francisco Bay Joint Venture (Joint Venture), the State Coastal Conservancy hereby authorizes the following disbursements: 1) up to fifty thousand dollars (\$50,000) to the Point Reyes Bird Observatory, Inc. (PRBO) for a Habitat Restoration Project Design Review Program; 2) up to ten thousand dollars (\$10,000) to PRBO to provide planning services for the design of interpretive projects related to restoration, enhancement and protection of wetland habitats in the San Francisco Bay Area; 3) up to the balance remaining in the interest-bearing Conservancy Coastal Trust Fund account, Resource Enhancement Special Project - Joint Venture subaccount, as of the date of encumbrance (current balance - \$11,633.09), to PRBO for coordination and administration of the Joint Venture; 4) up to twenty thousand dollars (\$20,000) to Ducks Unlimited, Inc. to evaluate seasonal wetlands in the San Francisco Bay Area and to update the Joint Venture document *Restoring the Estuary: Implementation Strategy of the San Francisco Bay Joint Venture*. Each of these authorizations are subject to the condition that prior to disbursement of any of these funds, the grantee submit for the review and approval of the Executive Officer of the Conservancy a work program, budget and schedule, and the names and qualifications of any subcontractors that it intends to employ.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31160 *et seq.*, regarding the Conservancy’s mandate to address the resource and recreational goals of the San Francisco Bay Area.

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Point Reyes Bird Observatory and Ducks Unlimited, Inc. are nonprofit organizations existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

D. ROCKVIEW WALKWAY

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed nine thousand dollars (\$9,000) to the County of Santa Cruz to undertake capital improvements and provide for three years of operations and maintenance costs associated with the Rockview Walkway and Viewpoint Access project, subject to the condition that no Conservancy funds shall be disbursed for capital improvements or for operation and maintenance until, with respect to either activity, the Executive Officer has reviewed and approved in writing:

1. A detailed work program, schedule, and budget and the names and qualifications of any contractors to be employed in carrying out the project activity.
2. Documentation that all permits and approvals required to carry out the project have been obtained.
3. Documentation that the easement that was created by acceptance of four separate Rockview “Irrevocable Offers to Dedicate Public Access Easement has been conveyed by Surfers’ Environmental Alliance, with Coastal Commission approval, to the County of Santa Cruz.
4. A signing plan for the project acknowledging the Conservancy’s participation.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Chapter 9 of Division 21 of the Public Resources Code regarding public access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 14, 2001.
3. The project will serve greater than local needs.”

Moved and seconded. Consent Items approved by a vote of 4-0.

Agenda Item 4 was presented next. Conservancy member Fred Klass arrived.

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

4. SAN FRANCISCO BAY HYDRODYNAMIC MODELING

Abe Doherty of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of up to two hundred ninety-three thousand dollars (\$293,000) to the Regents of the University of California and five hundred sixty-five thousand dollars (\$565,000) to the Board of Trustees of Leland Stanford Junior University (“Stanford University”) for the development of a San Francisco Bay hydrodynamic and sediment transport model and a modeling framework for San Francisco Bay. This authorization is subject to the condition that prior to the disbursement of any of these funds, the grantees shall each submit for the review and approval of the Executive Officer of the Conservancy a work program, budget and schedule, and the names and qualifications of any subcontractors that it intends to employ.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Public Resources Code Sections 31160-31165 regarding the Conservancy’s mandate to address the resource goals of the San Francisco Bay Area and with Section 31220 regarding the Conservancy’s mandate to undertake coastal watershed and coastal and marine habitat water quality;
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 4, 2001; and
3. Stanford University is a nonprofit organization existing under the provisions of section 501(c)(3) of the United States Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 5-0.

9. EXECUTIVE OFFICER REPORT

- a. Ann Buell presented the 2nd Draft Plan for the San Francisco Bay Area Water Trail. The plan will be finalized through legislation in 2008. Sara Polgar, NOAA Fellow, gave a power point presentation on implementing the Water Trail Plan.

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

July 16, 2007
9:00 am

Conservancy member and Chair Bosco arrived and began chairing the meeting.

3. SELECTION OF VICE CHAIR

Conservancy member Ann Notthoff was nominated as Vice Chair and accepted the nomination approved by a 5-0 vote.

10. DEPUTY ATTORNEY GENERAL'S REPORT

There was no report given.

11. BOARD MEMBER COMMENTS

There were no comments.

12. PUBLIC COMMENTS

Jim McGrath, U.S. Windsurfing and SF Board Sailing recommended changes to Item 9A The San Francisco Bay Area Water Trail.

Chair Bosco announced a short 15 minute break before discussion of the 2007 Strategic Plan.

13. STRATEGIC PLAN DISCUSSION

Nadine Hitchcock presented the 3rd revision to the Strategic plan with the suggestions made by the Conservancy members at the May 24 Conservancy meeting. The Strategic plan should be ready for adoption by the September Conservancy meeting.

14. CLOSED SESSION

There was no closed session.

15. ADJOURNMENT

Meeting was adjourned at 11:55 a.m.